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CLERK US DISTRICT COURT  
DISTRICT OF ARIZONA

**CR24-01182 TUC-SHR(MAA)**

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ARIZONA

United States of America,  
Plaintiff,

vs.

Brian Thomas Balda,  
Defendant.

**INDICTMENT**

Violations:

18 U.S.C. § 2261A(2)  
(Cyberstalking)  
Count 1

18 U.S.C. § 2261A(1)  
(Interstate Stalking)  
Count 2

**THE GRAND JURY CHARGES:**

**INTRODUCTORY ALLEGATIONS**

1. At all times relevant to this Indictment, the defendant, Brian Thomas Balda, resided in the state of Oregon.
2. At all times relevant to this Indictment, Person A, a person whose identity is known to the grand jury, resided in Tucson and the District of Arizona.
3. From early 2023 and continuing up to and including on or about February 16, 2024, the defendant, Brian Thomas Balda, conducted a campaign of harassment and intimidation directed at Person A.

1 4. In the course of this campaign, the defendant, Brian Thomas Balda, made telephone  
2 calls and sent internet messages to Person A by using a telephone number with area  
3 code 971 from early 2023 through January 2024.

4 a. Using this service, on or about December 4, 2023, the defendant, Brian  
5 Thomas Balda, sent a message to Person A that stated:

6 It's a great day to DIE tell [Person A] he's a pedophile and all  
7 of you helped you sick fucks this is the most disgusting thing I  
8 cannot take secrets and all this shit you WIN ANNE YOU  
9 FUCKING WIN I HOPE YOU'RE FINALLY HAPPY PEACE

10 b. Using this service, on or about December 7, 2023, the defendant, Brian  
11 Thomas Balda, sent a message to Person A that stated:

12 How bout you all just kill me with passion like you had in 1977  
13 I should be dead long time ago besides who would ever want  
14 to be a living lie. Dead men tel no tales and no one will ever  
15 tell me anyways so just have your soldiers just take me out of  
16 your life and you're GAME with a child's life. Go to hell you  
17 fucking child mollesting baby thief go fuck yourself scumbag  
18 mother fucker I'm sick of your shit [Person A]  
19 Fuck this country of secret keeping EVIL SICKOS  
20 HOW MANY KIDS ASSHOLE HOW FUCKING MANY  
21 YOU PRICK

22 c. Using this service, on or about December 9, 2023, the defendant, Brian  
23 Thomas Balda, left a voicemail to Person A that stated:

24 You're an asshole and I think you should pay for what you did

25 5. In the course of this campaign, the defendant, Brian Thomas Balda, also sent  
26 messages to Person A using the internet from the account  
27 "brian.balda@icloud.com."  
28

1 a. Using this service, on or about January 19, 2024, the defendant, Brian  
2 Thomas Balda, sent a message to Person A claiming that Balda should have  
3 been aborted as a child and not allowed to be born, that he wants to die a  
4 slow and painful death and mentioned Person A by name. Specifically, the  
5 internet message read in part:

6 [Person A] you are a coward just like all the Balda's and  
7 Hoffmann's anticomunist cowards  
8

9 6. In the course of this campaign, the defendant, Brian Thomas Balda, changed his  
10 telephone number in February 2024 to one with area code 520 to send messages and  
11 make phone calls to Person A.

12 a. Using this service, on or about February 14, 2024, the defendant, Brian  
13 Thomas Balda, left a voicemail for Person A that stated Balda was in  
14 Phoenix, Arizona.

15 b. Using this service, on or about February 15, 2024, the defendant, Brian  
16 Thomas Balda, sent a text message to the Person A stating that Balda was in  
17 Tucson and wanted to know if Person A wanted to have lunch with him.

18 c. Using this service, or about February 15, 2024, the defendant, Brian Thomas  
19 Balda, left a voicemail for Person A. In that voicemail, he identified himself  
20 as "Brian Balda," told Person A that he was looking for Person A, and told  
21 Person A that, "you and I need to have a chat."

22 **COUNT 1**

23 7. The allegations contained in paragraphs 1 through 6 are realleged and incorporated  
24 herein as if fully set forth in this paragraph.

25 8. From early 2023 to on or about February 15, 2024, in the District of Arizona and  
26 elsewhere, the defendant, BRIAN THOMAS BALDA, with the intent to kill, injure,  
27 harass, and intimidate another person, Person A, used any interactive computer  
28 service, electronic communication service or electronic communication system of



interstate commerce, or any other facility of interstate or foreign commerce to engage in a course of conduct that caused, attempted to cause, and would be reasonably expected to cause substantial emotional distress to Person A, and placed Person A in reasonable fear of his own death and of serious bodily injury.

In violation of Title 18, United States Code, Section 2261A(2).

**COUNT 2**

9. The allegations contained in paragraphs 1 through 8 are realleged and incorporated herein as if fully set forth in this paragraph.

10. On or about January 29, 2024 through February 16, 2024, in District of Arizona and elsewhere, the defendant, BRIAN THOMAS BALDA, traveled in interstate commerce from Oregon to Arizona with the intent to kill, injure, harass, or intimidate another person, Person A, and in the course of and as a result of such travel, placed Person A in reasonable fear of death, serious bodily injury, and caused, attempted to cause, and would be reasonably expected to cause substantial emotional distress to Person A.

In violation of Title 18, United States Code, Section 2261A(1).

A TRUE BILL

/s/

FOREPERSON OF THE GRAND JURY  
Dated: March 13, 2024

GARY M. RESTAINO  
United States Attorney  
District of Arizona

REDACTED FOR  
PUBLIC DISCLOSURE

/s/  
LIZA M. GRANOFF  
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